

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

PURIFICACION CRISTOBAL,

Defendant.

20 Cr. 463 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On January 19, 2023, Defendant Purificacion Cristobal was sentenced principally to concurrent terms of 84 months' imprisonment on Counts One, Six, and Seven of Indictment S1 20 Cr. 463. (See Dkt. #77 (superseding indictment), 202 (judgment); January 19, 2023 Minute Entry).

On May 30, 2024, Defendant filed a motion requesting that this Court consider a sentence reduction pursuant to Amendment 821 to the United States Sentencing Guidelines ("U.S.S.G."), which amendment went into effect on November 1, 2023, and applies retroactively. (Dkt. #230).¹ The United States Probation Office thereafter issued a supplemental presentence investigation report indicating that Defendant is not eligible for a sentence reduction under Amendment 821.

The Court has considered the record in this case and Defendant's submission on her motion. The Court finds that Defendant is ineligible for a reduction in her sentence because she fails to meet the eligibility criteria for

¹ Defendant separately filed a motion for a reduction in sentence pursuant to the compassionate release provision, 18 U.S.C. § 3582(c)(1)(A)(i). (Dkt. #231). That motion will be addressed in a separate order.

both the status points reduction pursuant to U.S.S.G. § 4A1.1(e) and the zero-point offender offense level reduction pursuant to U.S.S.G. § 4C1.1.

Accordingly, the Court DENIES her motion.

The Clerk of Court is directed to terminate the pending motion at docket entry 230. The Clerk of Court is further directed to mail a copy of this Order and the accompanying AO 247 form to Defendant at the following address:

PURIFICACION CRISTOBAL, #88061-054
FCI MARIANNA
FEDERAL CORRECTIONAL INSTITUTION
P.O. BOX 7007
MARIANNA, FL 32447

If Defendant wishes to review the Probation Office's eligibility report, she may do so through her case manager.

SO ORDERED.

Dated: July 8, 2024
New York, New York



KATHERINE POLK FAILLA
United States District Judge